

# A Resolution

NO. 3677-11-2008

## APPROVING A LEGISLATIVE POSITION ON RAIL NORTH TEXAS: A PRIMARY RAIL LEGISLATIVE PROGRAM WITH SUPPLEMENTAL ROADWAY IMPROVEMENTS

**WHEREAS**, the North Central Texas Council of Governments is designated as the Metropolitan Planning Organization for the Dallas-Fort Worth Metropolitan Area by the Governor of Texas in accordance with federal law; and

**WHEREAS**, the Regional Transportation Council, comprised primarily of local elected officials, is the regional transportation policy body associated with the North Central Texas Council of Governments, and has been and continues to be the regional forum for cooperative decisions; and

**WHEREAS**, the Regional Transportation Council has advocated for additional transportation funding and flexibility for over 10 years, with a special focus on identifying additional funding to construct and operate a seamless regional rail system for the past five years; and

**WHEREAS**, the Rail North Texas effort has been a bottom-up process to include local elected officials, business leaders, the public, and State legislators and has resulted in a specific legislative proposal; and

**WHEREAS**, the Regional Transportation Council has adopted a Resolution declaring its intention to seek legislative authority to create a Transportation District for the purpose of levying taxes or fees in order to generate revenue to fund rail and supplemental roadway improvements; stating its continued support of the principles contained in the three existing transportation authorities' "Joint Recommendation for Regional Rail in North Central Texas"; stating its opposition to the creation of any new transportation authorities or transportation providers within the Dallas-Fort Worth region; and declaring its support of a district-wide local voter option for creation of a transportation district, as set forth in Attachment 1 hereof; and

**WHEREAS**, the City of Fort Worth agrees with and will benefit from the positions expressed by the Regional Transportation Council's Resolution;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, THAT:**

**Section 1.** The City of Fort Worth approves the Regional Transportation Council's intention to seek legislative authority to create a Transportation District for the purpose of levying taxes or fees in order to generate revenue to fund rail and supplemental



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roadway improvements.

**Section 2.** The City of Fort Worth continues to support the principles contained in the three transportation authorities' "Joint Recommendation for Regional Rail in North Central Texas." This rail initiative will be constructed by existing transportation providers.

**Section 3.** The City of Fort Worth does not support the creation of any new transportation authorities or transportation providers within the Dallas-Fort Worth region.

**Section 4.** The City of Fort Worth supports the specific proposal outlined in Attachment 1 hereof.

**Section 5.** The City of Fort Worth supports the Regional Transportation Council's desire to implement a "transportation district" for the sole purpose of implementing rail and supplemental roadway improvements.

**Section 6.** This Resolution will be transmitted to the North Central Texas Council of Governments, local governments, partner organizations, and other interested parties with a request to support transportation as the region's highest legislative priority for the 81<sup>st</sup> Texas Legislature and a request to endorse this resolution.

**Section 7.** This Resolution shall take effect immediately following its adoption.

Attachment

Adopted this 11th day of November 2008.

ATTEST:

By: Marty Hendrix

Marty Hendrix, City Secretary

APPROVED  
CITY COUNCIL

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Marty Hendrix  
City Secretary of the  
City of Fort Worth, Texas



**CITY OF FORT WORTH**

## Attachment 1

### District-wide Local Voter Option

The bill shall authorize the eight Transportation Management Areas within Texas to form a transportation district. The purpose of the transportation district is to levy fees and taxes to generate revenue necessary to fund identified metropolitan area mobility needs.

The metropolitan planning organization (MPO) policy making body may establish a transportation district by a two thirds vote of its members following a public hearing.

The boundary of the metropolitan planning area shall be the boundary of the transportation district. If the metropolitan planning area boundary changes, the boundary of the transportation district changes identically and simultaneously. If the metropolitan planning area boundary splits a county and the commissioners court of that county resolves that the entire county be included in the transportation district, then the district boundary shall expand to include the entire county.

The transportation district shall be governed by a board of directors. The board of directors of the district shall be the MPO policy making body, unless the MPO policy making body elects not to serve as the district board of directors, in which case it may establish an alternative board of directors. At least two thirds of the membership of any alternative board of directors shall consist of local elected officials of cities and counties within the district.

The bill shall authorize a transportation district to:

- Levy fees and taxes subject to voter approval
- Issue debt
- Fund operations, maintenance, capital and debt service expenses for passenger rail, transit, roadways and freight rail.
- Contract with other entities to provide mobility services and implement projects

The transportation district shall use revenue generated from fees and taxes in a particular county to fund mobility needs in that county. The district may levy the following fees and taxes if approved by voters at an election on a date authorized by statute:

- A vehicle registration fee, not to exceed \$150 per vehicle per year
- A motor fuels excise tax, not to exceed \$0.10 per gallon

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- A mileage fee, not to exceed \$0.01 per vehicle mile driven
- A property tax, not to exceed \$0.05 per \$100 appraised value
- A driver's license fee, not to exceed \$50
- New resident impact (vehicle registration), not to exceed \$250 per year

The transportation district shall use the established process and criteria of the MPO in identifying mobility needs and selecting projects to fund, using the following protocol:

- The MPO issues a call for projects
- Cities, counties, and transportation authorities within the transportation district submit projects
- The MPO evaluates and ranks projects on a county-by-county basis
- The MPO develops a ballot specific to each county within the MPO listing the highest ranked projects and recommended fees and taxes to generate revenue to fund the projects, correlating projects on the sample ballot to estimated revenues generated by fees and taxes levied on a county basis so that the fee and tax revenue generated in a particular county funds projects in that county
- On a date authorized by the legislature, the transportation district shall submit all ballots for voter approval.

Ballot language adopted by the district board shall list:

- each tax or fee to be levied,
- the rate of each tax or fee to be levied,
- the month and year in which the tax or fee levy shall begin,
- the transportation operations, maintenance and capital projects to be funded,
- the month and year in which a tax or fee levied for a capital project shall cease, and
- the estimated time frame for the implementation of each project.

The vote results shall be tabulated on a county basis. Fees and taxes will be levied only in a county in which a majority vote is cast in favor of the projects, fees and taxes listed on the ballot.

The bill shall indemnify metropolitan areas: Metropolitan planning areas shall not be penalized in terms of losing traditional transportation funding by virtue of their establishing a transportation district and their voters agreeing to pay additional transportation taxes or fees. TxDOT shall not reduce any allocation of traditional transportation funding to any of its districts by virtue of a district being in a metropolitan planning area that establishes a transportation district and levies additional transportation taxes or fees.

